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09/686,522
BB1165USNA
PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT
AMENDMENT AND PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(b)
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. CAHOON ET AL.

**APPLICATION NO.: 09/686,522** 

FILED: OCTOBER 11, 2000

**CONFIRMATION NO.: 5214** 

FOR: PHYTIC ACID BIOSYNTHETIC ENZYMES

RECEIVED PRELIMINARY AMENDMENT

CASE NO.: BB1165 US NA

**GROUP ART UNIT: 1634** 

EXAMINER: TAYLOR, JANELL E.

AND RESPONSE TO RESTRICTION REQUIREMENT

APR 2 3 2002

**PATENT** 

Commissioner of Patents and Trademarks Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

In response to the Office Action of March 19, 2002, and before examination on the merits, please amend the above-referenced application as follows and consider the following remarks.

## IN THE CLAIMS:

Please cancel claims 16-31, 37-42, and 47.

## Please replace the following new claims:

- 32. "amended" An isolated polynucleotide comprising:
- (a) a nucleotide sequence encoding a polypeptide having extragenic suppressor activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 80% identity based on the Clustal alignment method, or

(b) the complement of the nucleotide sequence. "amended" The polynucleotide of claim 32, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 90% identity

based on the Clustal alignment method.

34. "amended" The polynucleotide of claim 32, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 95% identity based on the Clustal alignment method.

35. "amended" The polynucleotide of claim 32 comprising the nucleotide sequence of SEO ID NO:13.

36. "amended" The polynucleotide of claim 32, wherein the polypeptide comprises the amino acid sequence of SEQ ID NO:14.